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Attorneys for Plaintiff Jim Riley

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

SIGURD MURPHY and KEITH UEHARA, on
behalf of himself and all others similarly
situated,

Plaintiffs,

v.

CELESTRON ACQUISITION, LLC,
NANTONG SCHMIDT OPTO-ELECTRICAL
TECHNOLOGY CO. LTD.,
NINGBO SUNNY ELECTRONIC CO. LTD.
OLIVON MANUFACTURING CO. LTD.,
OLIVON USA, LLC,
SKY-WATCHER CANADA,
SKY-WATCHER USA,
SUZHOU SYNTA OPTICAL TECHNOLOGY
CO., LTD.,
SW TECHNOLOGY CORP.,
SYNTA CANADA INTERNATIONAL
ENTERPRISES LTD., and
SYNTA TECHNOLOGY CORP. OF
TAIWAN,

Defendants.

Case No. 5:20-cv-04049

**DECLARATION OF DENNIS STEWART
IN SUPPORT OF ADMINISTRATIVE
MOTION TO CONSIDER WHETHER
CASES SHOULD BE RELATED**

Related Case:

Riley et al. v. Celestron Acquisition LLC et al.,
Case No.: 3:20-cv-06527

1 I, Dennis Stewart, declare as follows:

2 1. I am an active member of the State Bar of California and a member in good standing
3 of the Bar of this Court. I am a partner at Gustafson Gluek PLLC and one of the attorneys of
4 record for Plaintiff Jim Riley (“Plaintiff”) in the action *Riley, et al. v. Celestron Acquisition LLC,*
5 *et al.*, Case No. 3:20-cv-06527.

6 2. Civil Local Rule 3-12 requires that “[w]henever a party knows or learns that an
7 action, filed in or removed to this district is (or the party believes that the action may be) related
8 to an action which is or was pending in this District as defined in Civil L.R. 3-12(a), the party
9 must promptly file in the lowest-numbered case an Administrative Motion to Consider Whether
10 Cases Should be Related, pursuant to Civil L.R. 7-11.” Civil L.R. 3-12(b). As noted in the
11 Administrative Motion, the following complaints that have been filed in this Court are related
12 within the meaning of the Local Rules: *Sigurd Murphy et al. v. Celestron Acquisition LLC, et al.*,
13 Case No. 5:20-cv-04049, *Daniel Hightower v. Celestron Acquisition LLC*, Case No. 5:20-cv-
14 03639 (N.D. Cal. June 1, 2020), *Spectrum Scientifics LLC, et al. v. Celestron Acquisition LLC, et*
15 *al.*, Case No. 5:20-cv-03642, and *Brewer et al. v. Celestron Acquisition LLC, et al.*, Case No.
16 5:20-cv-04823.

17 3. Attached hereto as **Exhibit A** is a true and correct copy of the complaint in *Daniel*
18 *Hightower v. Celestron Acquisition LLC, et al.*, Case No. 5:20-cv-03639.

19 4. Attached hereto as **Exhibit B** is a true and correct copy of the complaint in *Spectrum*
20 *Scientifics LLC, et al. v. Celestron Acquisition LLC, et al.*, Case No. 5:20-cv-03642, filed June 1,
21 2020.

22 5. Attached hereto as **Exhibit C** is a true and correct copy of the complaint in *Sigurd*
23 *Murphy, et al. v. Celestron Acquisition LLC, et al.*, Case No. 5:20-cv-04049, filed June 17, 2020.

24 6. Attached hereto as **Exhibit D** is a true and correct copy of the complaint in *Sara*
25 *Day Brewer, et al. v. Celestron Acquisitions LLC, et al.*, Case No. 5:20-cv-04823, filed July 17,
26 2020.

27 7. Attached hereto as **Exhibit E** is a true and correct copy of the complaint in *Jim*
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1 *Riley, et al. v. Celestron Acquisitions LLC, et al.*, Case No. 3:20-cv-06527, filed September 17,
2 2020.

3 8. As Civil Local Rule 3-12 requires that an Administrative Motion to Consider
4 Whether Cases Should Be Related be promptly filed and certain Defendants in these cases are
5 located overseas and have not yet been served, a stipulation was not readily achievable.

6 9. I submit this declaration to set forth facts in support of an Administrative Motion to
7 Consider Whether Cases Should be Related. Unless otherwise stated below, the matters stated
8 herein are based upon my personal knowledge, and if called as a witness, I could and would
9 competently testify thereto.

10 I declare under penalty of perjury under the laws of the United States that the foregoing is
11 true and correct.

12 Executed this 24th day of September, at San Diego, California.

13 /s/ Dennis Stewart
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